UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:12-cr-00195-MOC-DCK

UNITED STATES OF AMERICA,)	
)	
)	
)	
Vs.)	ORDER
)	
JOEL ORTIZ-GONZALEZ,)	
)	
Defendant.)	

THIS MATTER is before the court on defendant's Motion to Modify Judgment (#12), Motion to Withdraw Motion to Modify Judgment (#13), and Motion to Correct Clear Error in Sentence Within 14-Days After Sentencing (#14). Having considered defendant's motion and reviewed the pleadings, and it appearing that the government consents to the proposed relief and that good cause has otherwise been shown to modify the sentence and that further hearing is neither requested nor needed, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Withdraw Motion to Modify Sentence (#13) is GRANTED, Motion to Modify Judgment (#12) is WITHDRAWN, and Motion to Correct Clear Error in Sentence Within 14-Days After Sentencing (#14) is ALLOWED, and the Sentence imposed on October 3, 2014, is MODIFIED in accordance with Rule 35(a) to provide the following terms:

- 1. The immediate placement of Mr. Ortiz into a RRC.
- 2. Completion of alcohol and anger management programs.

3. In lieu of further active time, 147 days of confinement at the RRC, less 68 days of credit for time served as of 10/3/2014 for a total of 79 days in RRC confinement.

This RRC placement completion date – without any further reductions for additional credit for time served- will be on 12/21/2014.

4. The reduction of his confinement in the RRC by any additional credit for time served in the Mecklenburg County Jail from 10/3/14.

5. Participation in alcohol treatment and anger management programs in Mecklenburg County Jail if available in Spanish, or while in RRC confinement, or after RRC confinement. Participation in alcohol and anger management programs post RRC release to be determined by his Probation Officer.

6. Completion of his RRC confinement to be followed by 24 months of supervised release.

Such additional and/or modified terms shall be included in the Judgment.

Signed: October 16, 2014

Max O. Cogburn Jr.

United States District Judge